Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

W.P. No. 653 of 2005

PETITIONER Prabhat Chandra Chaturvedi,
S/o. Shri D.N. Chaturvedi, aged about 44 years, Occupation Assistant Engineer W.R.D. Raigarh S.D.O. Kelo Survey Sub Division No.2 Raigarh (C.G.), Permanent Resident of A-57 Kasturba Nagar Bhopal Madhya Pradesh.

P.R. No. 7821/05 Presented by Shri Bipin Bajpai dated 24-12-05

VERSUS

RESPONDENTS 1) Union of India
Through Secretary Department of personal & training, Govt. of India New Delhi

2) State of Chhattisgarh
Through Secretary, Water Resources Department, D.K.S. Bhawan Raipur (C.G.)

3) State of M.P.
Through Secretary – Water Resources Department, Vallabh Bhawan, Bhopal, M.P.

4) Chairman of the State Advisory Board, Bhopal (M.P.)
A Board Presided over by Shri K.S. Sharma Constituted U/Sec. 71 of M.P. Reorganisation Act.

CERTIFIED COPY CLERK to the G. BILASPUR 24/12/05

RECEIVED COPY 24/12/05 THAKUR VIJAY SINGH Sr. Central Govt. Standing Counsel CHHATTISGARH HIGH COURT

(4) ~~(2)~~

WRIT PETITION UNDER ARTICLE 226 & 227 OF

CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 653/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

7-4-2005

On a mention being made, the case is taken up for hearing.

Mrs. Hamida Siddique, counsel for the petitioner.

Mr. S.K. Beriwal, Senior Panel Counsel for Union of India/respondent No.1

Mr. Akhil Agrawal, Panel Lawyer for the State/respondent No.2.

Heard.

The petitioner is working as Assistant Engineer in the Water Resources Department, Raigarh. The case of the petitioner is that after reorganisation of the State, options were invited from the employees for allocation of their services to the mother State or the State of Chhattisgarh and in that, the petitioner gave his option for the State of Madhya Pradesh. The petitioner's whole family, his mother, and father are residing in the State of Madhya Pradesh, and he is resident of the State of Madhya Pradesh. However, the Central Government decided to allocate the services of the petitioner to the State of Chhattisgarh against the option given by the petitioner.

Learned counsel for the petitioner submits that in view of the orders passed by this Court, the Central Government has constituted a Committee to consider the representations of various State employees for change of their allocation. Since, the petitioner had not filed the petition earlier, therefore, his case is not being considered by the said Committee. In the circumstances, learned counsel submits with a limited request on behalf of the petitioner that now, the petitioner may be allowed to make a representation to the Union of India, through the State Governments of Chhattisgarh and Madhya Pradesh for consideration of his difficulties and re-allocation. Learned counsel further submits that the petitioner has already

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.653/ सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

applied for re-allocation to the State of Madhya Pradesh on mutual consent with Mr. M.L. Soni who was working on the same post in the State of Madhya Pradesh.

The limited request made by learned counsel for the petitioner is just and fair. Therefore, it would be in the interest of justice to allow the petitioner to make a representation to the Union of India through the States of Chhattisgarh and Madhya Pradesh for consideration of the request of the petitioner, in accordance with law. Accordingly, the petitioner is allowed to make a representation to the Union of India through the State Governments of Chhattisgarh and Madhya Pradesh within a period of 15 days from today, and the respondents viz., States of Chhattisgarh & Madhya Pradesh after considering the representation of the petitioner shall forward their views to the Union of India within three months from the date of receipt of the representation from the petitioner, and in turn, the Union of India shall decide the same within a period of another six months thereafter.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Soma

(पीछे देखिये)